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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,317	12/12/2003	Akiko Yasukawa	501.43331X00	9107
20457	7590	04/20/2005	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			ZIMMERMAN, GLENN	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/733,317

Applicant(s)

YASUKAWA ET AL.

Examiner

Glenn Zimmerman

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Specification***

The Substitute Specification of January 12, 2005 has been approved for entry.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai et al. U.S. Patent 5,932,362 in view of Komoto et al. U.S. Patent 6,340,824.

Regarding claim 1, Nagai et al. teach an organic EL display device (**col. 1 lines 15-26**) in which a light emitting material layer (**Fig. 3 ref. 3 luminescent layer**) is formed on one surface side of a substrate (**col. 17 lines 29-30**) and light from the light emitting material layer is take out to the substrate side (**col. 18 lines 1-10**) wherein a material layer (**col. 18 line 8 ultraviolet screening layer**) which absorbs light is formed on another surface side of the substrate, but fail to teach wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm. Komoto et al. in the analogous art teach wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm (**col. 47 lines 4 and 5 benzotriazole or benzophenone**). Additionally, Komoto et al. teach incorporation of such a material layer to improve the absorbing of UV light from external sources (**col. 48 lines 12-15**) and basically it is a UV material that works with electroluminescent lights i.e. allowing visible light out but blocking relevant UV light and improves chromatic pureness (**col. 48 lines 11-12**).

Consequently it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm in the UV screen layer of Nagai et al., since such a modification would improve the absorbing of UV light basically it is a UV material that works with electroluminescent lights i.e. allowing visible light out but blocking relevant UV light from external sources and improves chromatic pureness as taught by Komoto et al.

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Regarding claim 2, Nagai et al. teach an organic EL display device (**col. 1 lines 15-26**) in which a light emitting material layer (**Fig. 3 ref. 3 luminescent layer**) is formed on one surface side of a substrate (**col. 17 lines 29-30**) and light from the light emitting material layer is taken out to the substrate side (**col. 18 lines 1-10**), wherein a material layer which absorbs light is formed between (**col. 18 line 5**) the light emitting material layer and the substrate, but fail to teach wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm. Komoto et al. in the analogous art teach wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm (**col. 47 lines 4 and 5 benzotriazole or benzophenone**). Additionally, Komoto et al. teach incorporation of such a material layer to improve the absorbing of UV light from external sources (**col. 48 lines 12-15**) and basically it is a UV material that works with electroluminescent lights i.e. allowing visible light out but blocking relevant UV light and improves chromatic pureness (**col. 48 lines 11-12**).

Consequently it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have wherein the material layer which absorbs light having a wavelength not less than 350 nm and not greater than 410 nm in the UV screen layer of Nagai et al., since such a modification would improve the absorbing of UV light basically it is a UV material that works with electroluminescent lights i.e. allowing visible light out but blocking relevant UV light from external sources and improves chromatic pureness as taught by Komoto et al.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai et al. U.S. Patent 5,932,362 in view of Komoto et al. U.S. Patent 6340824 and Budzilek et al. U.S. Patent 5,596,246.

Regarding claim 3, Nagai and Komoto et al. teach all the limitations of claim 3, but fail to teach wherein a circularly polarizing plate is formed on another surface side of the substrate together with the material layer by stacking. Budzilek et al in the analogous art teach wherein a circularly polarizing plate (**circular polarizing plate Fig. 2 ref. 27**) is formed on another surface side of the substrate together with the material layer by stacking (**col. 6 lines 4-9**). Additionally, Budzilek et al teach incorporation of such a circularly polarizing plate to improve the contrast of the display (**abstract**) and reduce ambient reflected light (**col. 1 lines 45-51**).

Consequently it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a circularly polarizing plate in the organic luminescent display device of Nagai et al. and Komoto et al., since such a modification would improve the contrast of the display and reduce ambient reflected light as taught by Budzilek et al.

***Allowable Subject Matter***

Claim 6 is allowed.

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 4, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests an organic EL display device including the combination of all the limitations as set forth in claim 4, and specifically wherein the circularly polarizing plate is fixed to the material layer by way of an adhesive agent and an ultra-violet-ray absorbing material is mixed into the adhesive agent could not be found elsewhere in prior art.

Regarding claim 5, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests an organic EL display device including the combination of all the limitations as set forth in claim 5, and specifically wherein the material layer also functions as an adhesive agent which fixes the circularly polarizing plate could not be found elsewhere in prior art.

Regarding claim 6, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests an organic EL display device including the combination of all the limitations as set forth in claim 6, and specifically wherein a touch panel is arranged on another surface side of the substrate and the touch panel is fixed to the substrate using an adhesive agent which absorbs light having a wavelength of not less than 350 nm and not greater than 410 nm could not be found elsewhere in prior art.

**Conclusion**


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shunk et al. U.S. Patent 6,872,766 disclose Ultraviolet Light Filter Element. Shunk et al. Points out that benzophenone and benzotriazole UV absorbing materials also prevent degradation of internal materials of displays (col. 1 lines 60-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Zimmerman whose telephone number is (571) 272-2466. The examiner can normally be reached on M-W 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Glenn Zimmerman

  
Vip Patel  
Primary Examiner  
AU 2879